

ORIGINAL

LYLE S. HOSODA & ASSOCIATES, LLC

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FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

JAN 03 2006

at 4 o'clock and 44 min. PM
SUE BEITIA, CLERK

Attorneys for Defendants
MARK DILLON, TERESA NOA, MELVIN PONCE,
SONIA PURDY, JUSTIN FUKUMOTO,
ALFREDDA WAIOLAMA, and JACQUELINE RIO

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

WAYNE BERRY, a Hawaii citizen,) CIVIL NO. CV03-00385 SOM-LEK
Plaintiff,) (Copyright)
v.) DEFENDANTS MARK DILLON, TERESA
HAWAIIAN EXPRESS SERVICE,) NOA, MELVIN PONCE, SONIA
INC., a California) PURDY, JUSTIN FUKUMOTO,
corporation; H.E.S.) ALFREDDA WAIOLAMA, AND
TRANSPORTATION SERVICES, INC.,) JACQUELINE RIO'S JOINDER TO
a California corporation;) ALL OF THE MOTIONS IN LIMINE
CALIFORNIA PACIFIC) FILED BY THE POST CONFIRMATION
CONSOLIDATORS, INC., a) TRUST FOR FLEMING COMPANIES,
California corporation;) INC.'S, ON JANUARY 3, 2006;
JEFFREY P. GRAHAM and PETER) CERTIFICATE OF SERVICE
SCHAUL, California citizens;)
MARK DILLON and TERESA NOA,)
BRIAN CHRISTENSEN, Hawaii)
citizens; FLEMING COMPANIES,)
INC., an Oklahoma corporation;)
C & S LOGISTICS OF HAWAII,)
LLC, a Delaware LLC; C & S)
WHOLESALE GROCERS, INC., a)
Vermont corporation; C & S)
ACQUISITIONS, LLC; FOODLAND)
SUPER MARKET, LIMITED, a)
Hawaii corporation; HAWAII)

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page]

TRANSFER COMPANY, LIMITED, a)	TRIAL:	January 24, 2006
Hawaii corporation; RICHARD)		
COHEN, New Hampshire citizen;)		
ES3, LLC, a Delaware Limited)		
Liability Company, MELVIN)		
PONCE, SONIA PURDY, JUSTIN)		
FUKUMOTO, ALFREDDA WAIOLAMA,)		
JACQUELINE RIO, Hawaii)		
citizens; JESSIE GONSALVES,)		
LUIZ RODRIGUES, AL PEREZ and)		
PATRICK HIRAYAMA, California)		
citizens; GUIDANCE SOFTWARE,)		
LLC, a California LLC; MICHAEL)		
GURZI, a California citizen;)		
ALIX PARTNERS, LLC, a Delaware)		
LLC; DOE INDIVIDUALS 2-350;)		
DOE PARTNERSHIPS, CORPORATIONS)		
and OTHER DOE ENTITIES 2-20,)		
)		
Defendants.)		

**DEFENDANTS MARK DILLON, TERESA NOA, MELVIN PONCE, SONIA PURDY,
JUSTIN FUKUMOTO, ALFREDDA WAIOLAMA, AND JACQUELINE RIO'S
JOINDER TO ALL OF THE MOTIONS IN LIMINE FILED BY
THE POST CONFIRMATION TRUST FOR FLEMING COMPANIES, INC.,
ON JANUARY 3, 2006**

Defendants Mark Dillon, Teresa Noa, Melvin Ponce, Sonia
Purdy, Justin Fukumoto, Alfredda Waiolama, and Jacqueline Rio,
("Defendant Employees") by and through their attorneys, Lyle S.

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Hosoda & Associates, LLC, hereby file their joinder to all of the Motions in Limine, filed by the Post Confirmation Trust for Fleming Companies, Inc., on January 3, 2006.

Dated: Honolulu, Hawaii, January 3, 2006.



LYLE S. HOSODA
RAINA P.B. MEAD
Attorneys for Defendants
MARK DILLON, TERESA NOA, MELVIN
PONCE, SONIA PURDY, JUSTIN
FUKUMOTO, ALFREDDA WAIOLAMA, and
JACQUELINE RIO

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

WAYNE BERRY, a Hawaii citizen,)	CIVIL NO. CV03-00385 SOM-LEK
)	(Copyright)
Plaintiff,)	
)	CERTIFICATE OF SERVICE
v.)	
)	
HAWAIIAN EXPRESS SERVICE,)	
INC., et al.)	
)	
Defendants.)	
_____)	

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy the foregoing document was served on January 3, 2006, by U.S. Mail and/or Hand Delivery upon the following parties at their last known address as set forth below:

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Attorneys for Defendants
FLEMING COMPANIES, INC.
C & C WHOLESALE GROCERS, INC.
C & S LOGISTICS OF HAWAII, LLC
and C & S ACQUISITIONS, LLC

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Los Angeles, California 90017

Attorneys for Defendant
POST-CONFIRMATION TRUST for FLEMING COMPANIES, INC.

DATED: Honolulu, Hawaii, January 3, 2006.



LYLE S. HOSODA
RAINA P.B. MEAD
Attorneys for Defendants
MARK DILLON, TERESA NOA, MELVIN
PONCE, SONIA PURDY, JUSTIN
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